

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

MANJUNATH A. GOKARE, P.C., and)	
GOLDSTEIN, BORGEN, DARDARIAN &)	
HO, P.C., on behalf of themselves and a class)	
of all persons similarly situated,)	
)	
Plaintiffs,)	Civil Action
)	No. 2:11-CV-2131-JTF-CGC
v.)	
)	
FEDERAL EXPRESS CORPORATION and)	Class Action
FEDEX CORPORATE SERVICES INC.,)	
)	
Defendants.)	

JUDGMENT

In this action, Plaintiff Manjunath A. Gokare, P.C. (“Gokare”), Plaintiff Goldstein, Borgen, Dardarian & Ho, P.C. (“Goldstein”), and the members of the Settlement Class defined below assert breach of contract claims and claims under the federal Racketeer Influenced and Corrupt Organizations Act against Defendants. On November 22, 2013, the Court granted final approval of the Settlement Agreement in this case. Docket Entry (“DE”) 247-1 (Settlement Agreement); DE 304. (Final Approval Order). The Court has certified the following Settlement Class:

All FedEx National Account holders or Nine Digit Account holders who paid a Residential Delivery Charge, Delivery Area Residential Surcharge, Extended Delivery Area Surcharge, or Fuel Surcharge Component, between August 28, 2009 and July 13, 2011, for one or more Settlement Shipments and did not receive a full refund of those charges.

Excluded from the Settlement Class are (1) all judicial officers in the United States; (2) officers, directors, and employees of FedEx, their parent, subsidiaries

and affiliated companies; (3) FedEx's parent, subsidiaries or affiliated companies; (4) Settlement Class Counsel; and (5) those persons or entities who choose to opt out of the Settlement.

Settlement Agreement §I(E).¹ Notice has been provided to the Settlement Class in accordance with Federal Rule of Civil Procedure 23 (c)(2)(B) and the requirements of due process.

Defendants and the claims Administrator have informed the Court that the following individuals/entities have timely submitted documents excluding themselves from the Settlement Class: DE 298 and DE 298-1. (collectively, "Opt Outs").

The Court hereby enters Final Judgment in this action. The Final Judgment shall bind all Settlement Class Members other than the Opt Outs. The terms of the Settlement Agreement are incorporated by reference into this Final Judgment, and the Court shall maintain continuing jurisdiction over this action for purposes of enforcing the Settlement Agreement. Accordingly, the claims of Plaintiff Gokare, Plaintiff Goldstein, and all Settlement Class Members who have not been excluded from the Settlement Class are Dismissed with Prejudice .

IT IS SO ORDERED this 22nd day of November, 2013.

s/ John T. Fowlkes, Jr.
JOHN T. FOWLKES, JR.
UNITED STATES DISTRICT JUDGE

¹ Capitalized terms are defined in Section I of the Settlement Agreement. DE 247-1.